

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

LAMB WESTON, INC.,

Plaintiff,

v.

IVAN MERCADO,

Defendant.

1:25-CV-176

PRELIMINARY INJUNCTION

THIS MATTER is before the Court on Lamb Weston, Inc.'s Motion for a Temporary Restraining Order and Preliminary Injunction, Doc. 7, and the Parties' Joint Motion for Entry of a Preliminary Injunction, Doc. 18.

THE COURT, having considered the motions and all applicable matters of record, **FINDS AND CONCLUDES**, in its discretion, that the motions should be granted.

Accordingly, it is hereby **ORDERED** that the motions, Doc. 7, 18, are **GRANTED** and Defendant Ivan Mercado shall continue to not disclose or use, and is enjoined and restrained from disclosing or using, Lamb Weston's confidential information. Specifically, Defendant may not disclose to anyone not currently employed by Lamb Weston, or otherwise use in any way, Lamb Weston's current and future marketing plans, market positions, strategy, budgets, long-range plans, customer information, sales data and strategies, pricing data and strategies, cost data, formulas, recipes, manufacturing information, research and development information, new product concepts, personnel information, privileged information, or other information used by or concerning Lamb

Weston, where such information is not publicly available, or has been treated as confidential. This shall be with the proviso that, consistent with his Separation Agreement, nothing in this Order will “prohibit [Mercado] from reporting possible violations of federal law or regulation to, or participating in any investigation by, any governmental agency or entity ...or making other disclosures that are protected under the whistleblower provisions of federal law or regulation.”

Further, it is hereby **ORDERED** that Defendant shall have a continuing obligation to return any Lamb Weston company property in his possession, custody, or control to Lamb Weston. To the extent that Defendant continues to have any Lamb Weston company property in his possession, custody, or control—following his obligation to return such property by 5:00 p.m. ET on Saturday, March 15, 2025 (*see* Doc. 14 at 2)—Defendant shall immediately return such property to Lamb Weston upon discovery and—to the extent necessary—subsequently destroy such property from his possession, custody, or control. This includes all files, records, documents, reports, computers, cellular telephones and other business equipment, keys, and other physical, personal or electronically stored property of Lamb Weston in Defendant’s possession, custody, or control.

The terms of this Order shall remain in force and effect until the Court renders a final judgment in this case or, in the absence of a final judgment, the Court otherwise determines that this preliminary injunction should be revoked or modified for good cause.

SO ORDERED this the 7th day of April, 2025.



CHIEF/SENIOR UNITED STATES DISTRICT JUDGE